

(5) Coordinate conflicts between the mobilization manpower needs of the civilian sector and the military identified but not resolved through the Ready Reserve Screening process.

(c) The *Secretaries of the Military Departments* shall:

(1) Screen, at least annually, all Ready Reservists under their jurisdiction to ensure their immediate availability for active duty (AD) and to ensure compliance with 10 U.S.C. 10149.

(2) Ensure coordination with the Assistant Secretary of Defense for Reserve Affairs to resolve conflicts (identified, but not resolved through the Ready Reserve screening process) between the mobilization manpower needs of the civilian sector and the military.

(3) Review recommendations for removal of both Federal and other civilian employees from the Ready Reserve submitted by employers and take applicable action.

(4) After making a removal determination in response to a petition for such action, promptly transmit the results of that determination to the Ready Reservist concerned and his/her employer.

(5) Transfer Ready Reservists identified as occupying key positions to the Standby Reserve or the Retired Reserve, or discharge them, as applicable.

(6) Ensure that Ready Reservists not on AD are examined as to physical fitness in accordance with DoD Directive 1332.18.<sup>2</sup>

(7) Process members of the Ready Reserve who do not participate satisfactorily in accordance with DoD Instruction 1200.15 and DoD Directive 1215.13.<sup>3</sup>

(8) Ensure that all Ready Reservists have a favorably completed background check for military service suitability on file (*e.g.*, Entrance National Agency Check (ENTNAC), NAC).

(9) Ensure that personnel records systems incorporate information on any factors that limit the mobilization availability of a Ready Reservist.

(10) Develop and maintain current information pertaining to the mobilization availability of Ready Reservists.

<sup>2</sup>See footnote 1 to § 44.4(e).

<sup>3</sup>See footnote 1 to § 44.4(e).

## APPENDIX A TO PART 44—GUIDANCE

### DEPUTY SECRETARY OF DEFENSE

The Deputy Secretary of Defense shall adjudicate, before mobilization, conflicts between the mobilization manpower needs of the civilian sector and the military that the Ready Reserve screening process has identified, but has not resolved.

### EMPLOYERS OF READY RESERVISTS

#### (a) Federal Employers

(1) To ensure that Federal employees essential to the continuity of the Federal Government are not retained as members of the Ready Reserve, the following guidance is provided:

(i) Conduct annual screening program as provided for by the Assistant Secretary of Defense for Reserve Affairs.

(ii) Responses from Federal Agencies shall be reported under Interagency Report Control Number 0912-DoD-AN, "Ready Reservists in the Federal Government," in accordance with DoD 8910.1-M.<sup>4</sup>

(iii) Federal Agency heads, or their designees, concerned shall designate those positions that are of essential nature to, and within, the organization as "key positions," and shall require that they shall NOT be filled by Ready Reservists to preclude such positions from being vacated during a mobilization. Upon request from Federal Agencies, Secretaries of the Military Departments shall verify the essential nature of the positions being designated as "key," and shall transfer Ready Reservists occupying key positions to the Standby Reserve or the Retired Reserve or shall discharge them, as applicable, under 10 U.S.C. 10149, except as specified in § 44.4 (b).

(iv) In determining whether or not a position should be designated as a "key position," the following questions should be considered by the Federal Agency concerned:

(A) Can the position be filled in a reasonable time after mobilization?

(B) Does the position require technical or managerial skills that are possessed uniquely by the incumbent employee?

(C) Is the position associated directly with defense mobilization?

(D) Does the position include a mobilization or relocation assignment in an Agency having emergency functions, as designated by Executive Order 12656?

(E) Is the position directly associated with industrial or manpower mobilization, as designated in Executive Orders 12656 and 12919?

(F) Are there other factors related to the national defense, health, or safety that will make the incumbent of the position unavailable for mobilization?

<sup>4</sup>See footnote 1 to § 44.4(e).

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(2) [Reserved]

(b) *Non-Federal Employers of Ready Reservists.* Non-Federal employers of Ready Reservists, particularly in the fields of public health and safety and defense support industries, are encouraged to adopt personnel management procedures designed to preclude conflicts between the emergency manpower needs of civilian activities and the military during a mobilization. Employers also are encouraged to use the Federal key position guidelines contained in this appendix for making their own key position designations and, when applicable, for recommending key employees for removal from the Ready Reserve.

(c) All employers who determine that a Ready Reservist is a key employee, in accordance with the guidelines in this appendix, should promptly report that determination, using the letter format at the end of this appendix, to the applicable Reserve personnel center, requesting the employee be removed from the Ready Reserve.

### INDIVIDUAL READY RESERVISTS

(a) Each Ready Reservist who is not a member of the Selected Reserve is obligated to notify the Secretary concerned of any change of address, marital status, number of dependents, or civilian employment and any other change that would prevent a member from meeting mobilization standards prescribed by the Military Service concerned (10 U.S.C. 10205).

(b) All Ready Reservists shall inform their employers of their Reserve military obligation.

LIST OF RESERVE PERSONNEL CENTERS TO WHICH RESERVE SCREENING DETERMINATION AND REMOVAL REQUESTS SHALL BE FORWARDED

#### *Army Reserve*

Army Reserve Personnel Command  
1 Reserve Way  
ATTN: ARPC-PSP-T  
St. Louis, MO 63132

#### *Naval Reserve*

Commander  
Navy Personnel Command (Pers 91)  
5720 Integrity Drive  
Millington, TN 38055-9100

#### *Marine Corps Reserve*

Commanding General  
Marine Corps Reserve Support Command  
ATTN: IRR Division  
15303 Andrews Road  
Kansas City, MO 64147-1207

#### *Air Force Reserve*

Commander  
Air Reserve Personnel Center/DPAF

6760 E. Irvington Pl. #2600  
Denver, CO 80280-2600

#### *Army and Air National Guard*

Submit requests to the adjutant general of the applicable State, commonwealth, or territory (including the District of Columbia).

#### *Coast Guard Reserve*

Commander (CGPC-RPM)  
U.S. Coast Guard Personnel Command  
2100 Second St. S.W.  
Washington, DC 20593

LETTER FORMAT TO RESERVE PERSONNEL CENTERS REQUESTING THAT EMPLOYEE BE REMOVED FROM THE READY RESERVE

From: (Employer-Agency or Company)  
To: (Appropriate Reserve Personnel Center)  
Subject: Request for Employee To Be Removed From the Ready Reserve

This is to certify that the employee identified below is vital to the nation's defense efforts in (his or her) civilian job and cannot be mobilized with the Military Services in an emergency for the following reasons:  
[STATE REASONS]

Therefore, I request that (he/she) be removed from the Ready Reserve and that you advise me accordingly when this action has been completed.

The employee is:

1. Name of employee (last, first, M.I.):
2. Military grade and Reserve component:
3. Social security number:
4. Current home address (street, city, State, and ZIP code):
5. Military unit to which assigned (location and unit number):
6. Title of employee's civilian position:
7. Grade or salary level of civilian position:
8. Date (YYMMDD) hired or assigned to position:

Signature and Title of Agency or Company Official.

## PART 45—CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214/5 SERIES)

Sec.

- 45.1 Purpose.
- 45.2 Applicability and scope.
- 45.3 Policy and procedures.
- 45.4 Responsibilities.

APPENDIX A TO PART 45—DD FORM 214  
APPENDIX B TO PART 45—DD FORM 214WS  
APPENDIX C TO PART 45—DD FORM 215  
APPENDIX D TO PART 45—STATE DIRECTORS OF VETERANS AFFAIRS

AUTHORITY: 10 U.S.C. 1168 and 972.

SOURCE: 54 FR 7409, Feb. 21, 1989, unless otherwise noted.